

Hearing Date: July 23, 2009  
Hearing Time: 10:00 a.m. (prevailing Eastern time)

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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	: Chapter 11
	:
DELPHI CORPORATION, <u>et al.</u> ,	: Case No. 05-44481 (RDD)
	:
Debtors.	: (Jointly Administered)
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PROPOSED FORTY-FIFTH OMNIBUS HEARING AGENDA

Location Of Hearing: United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, Room 610, 6<sup>th</sup> Floor, One Bowling Green, New York, New York 10004-1408

The matters set for hearing are divided into the following categories for the purposes of this Proposed Agenda:

- A. Introduction
- B. Continued Or Adjourned Matters (2 Matters)
- C. Uncontested, Agreed, Withdrawn, Or Settled Matters (7 Matters)
- D. Contested Matters (2 Matters)
- E. Adversary Proceedings (1 Matter)

**B. Continued Or Adjourned Matters\***

- 1. Motion Of Donald R. Sweeton And Sarah E. Sweeton To Compel Debtor's Performance Under Lease Of Non-Residential Real Property And For Payment Of Administrative Expenses (Docket No. 16381)

*Responses filed:* None.

*Reply filed:* None.

*Related filings:* None.

*Status:* This matter is being adjourned to the August 20, 2009 omnibus hearing.

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\* Motions found at the following docket numbers that appeared on previous Proposed Hearing Agendas have been voluntarily withdrawn from the agenda and would need to be re-noticed under the Case Management Order to be reinstated on an agenda: Docket Nos. 213, 4689, 4778, 4912, 5229, 5153, 6723, 6690, and 12833 (KECP Emergence Incentive Program, Equity Security Holders' Ex Parte Motion To File Supplemental Objection To STN Motion Under Seal, Mercedes-Benz U.S. International, Inc.'s Motion to File Claims, Methode Electronics, Inc.'s Setoff Motion, Computer Patent Annuities Limited's Motion To Assume Or Reject Executory Contract, Motion Of Sumida America Inc. To Allow Setoff/Recoupment And For Relief From Automatic Stay, ATEL Leasing Corporation's Motion To Allow Administrative Claim, and Debtors' Omnibus Objection to Claims for Postpetition Interest , respectively). In addition, the following adversary proceedings have also been withdrawn from the agenda and would be subject to re-noticing to be reinstated on a hearing agenda: NYCH LLC d/b/a RCS Computer Experience Adv. Pro. No. 06-01902, Docket No. 1 (Complaint To Recover Property Of The Estate), L&W Engineering Adv. Pro. No. 06- 01136, Docket No. 22 (Motion For Summary Judgment), Aksys Ltd. Adv. Pro. No. 06-01677, Docket No. 2 (Summons And Notice), and National Union Fire Insurance Company Of Pittsburgh, PA Adv. Pro. No. 07-01435, which has been settled as part of the MDL settlement and will be resolved upon the Court's approval of the MDL settlement.

2. Motion Of CSX Transportation, Inc. To Compel The Payment Of Administrative Expense Claim Pursuant To 11 U.S.C. § 503(b)(1)(A) (Docket No. 16548)

*Responses filed:* None.

*Reply filed:* None.

*Related filings:* None.

*Status:* This matter is being adjourned to the August 20, 2009 omnibus hearing.

**C. Uncontested, Agreed, Withdrawn, Or Settled Matters**

3. **"Sixteenth Accommodation Amendment Motion"** - Expedited Motion for Order (I) Ratifying and Approving Debtors' Entry into Sixteenth Amendment to Accommodation Agreement and Related Documents with Certain Participating DIP Lenders and (II) Authorizing Debtors to Pay Fees and Expenses in Connection Therewith (Docket No. 18467)

*Responses filed:* None.

*Reply filed:* None.

*Related filings:* Order to Show Cause why Expedited Motion for Order (I) Ratifying and Approving Debtors' Entry into Sixteenth Amendment to Accommodation Agreement and Related Documents with Certain Participating DIP Lenders and (II) Authorizing Debtors to Pay Fees and Expenses in Connection Therewith Should Not be Granted (Docket No. 18469)

*Status:* The hearing with respect to this matter will be proceeding.

4. **"MDL Securities and ERISA Settlement"** - Expedited Motion For Order Approving Modifications Of Multidistrict Litigation Securities And ERISA Settlements (Docket No. 18073)

*Responses filed:* None.

*Reply filed:* None.

*Related filings:* None.

*Status:* *The hearing with respect to this matter will be proceeding.*

5. **"Fiduciary Counselors, Inc. 3018 Motion"** - Motion For Order Estimating Claims For Purposes Of Voting On Plan Of Reorganization (Docket No. 17539)

*Responses filed:* *None.*

*Reply filed:* *None.*

*Related filings:* *Supplement To Motion For Order Estimating Claims For Purposes Of Voting On Plan Of Reorganization (Docket No. 17799).*

*Status:* *The hearing with respect to this matter will be proceeding.*

6. **"Hyundai Motor Company's 3018 Motion"** - Motion of Hyundai Motor Company and Hyundai Motor America Pursuant to Rule 3018(a) Requesting Temporary Allowance of Claims for Purposes of Voting to Accept or Reject the Plan (Docket No. 17481)

*Responses filed:* *None.*

*Reply filed:* *None.*

*Related filings:* *None.*

*Status:* *The hearing with respect to this matter will be proceeding.*

7. **"IUOE and IBEW 3018 Motion"** - Rule 3018(a) Motion For Relief (Docket No. 17528)

*Responses filed:* *None.*

*Reply filed:* *None.*

*Related filings:* *None.*

*Status:* *The hearing with respect to this matter will be proceeding.*

8. **"§ 1121(d) Creditors' Committee Exclusivity Extension Motion "** - Motion for Order, Solely as to Creditors' Committee, Extending Debtors' Exclusive Periods Within Which to File and Solicit Acceptances of Reorganization Plan Under 11 U.S.C. § 1121(d) ("§ 1121(d) Creditors' Committee Exclusivity Extension Motion") (Docket No. 17562)

*Responses filed:* *Supplemental Objection of the Official Committee of Unsecured Creditors to the Proposed Modifications to the Debtors' Confirmed Plan of Reorganization and to the Sale of Substantially All the Debtors' Assets as an Alternative to a Plan; and Objection to Debtors' Motion for Extension of Their Exclusive Periods (Docket No. 18291)*

*Reply filed:* *None.*

*Related filings:* *None.*

*Status:* *The parties have resolved the Creditors' Committee's objection. The hearing with respect to this matter will be proceeding.*

9. **"Steering Option Exercise Motion" - Motion For Order Under 11 U.S.C. Section 363 And Fed. R. Bankr. P. 6004 Authorizing And Approving Option Exercise Agreement With General Motors Corporation (Docket No. 16410)**

*Responses filed:* *Michigan Department of Environmental Quality's Limited Objection to the Motion for Order Under 11 USC § 363 and Fed. R. Bankr. P. 6004 Authorizing and Approving Option Exercise Agreement with General Motors Corporation (Docket No. 16472)*

*Response of Pension Benefit Guaranty Corporation To Debtors' Motion for Order Under U.S.C. § 363 and Fed. R. Bankr. P 6004 Authorizing and Approving Exercise Agreement (Docket No. 16475)*

*Limited Objection of the Official Committee of Unsecured Creditors To the Debtors' Motion for Order Under 11 U.S.C. § 363 and Fed R. Bankr. P. 6004 Authorizing and Approving Option Exercise Agreement with General Motors Corporation (Docket No. 16476)*

*Limited Objection of Wilmington Trust Company As Indenture Trustee to Motion for Order under 11 U.S.C § 363 and Fed. R. Bankr. P. 6004 Authorizing and Approving Option Exercise Agreement with General Motors Corporation (Docket No. 16478)*

*Objection to Motion /Limited Objection of the Tranche C Collective to Debtors' Motion for Order Under 11 U.S.C. 363 and Fed R. Bankr. P. 6004 Authorizing and Approving Option Exercise*

*Agreement with General Motors Corporation (Docket No. 16492)*

*JPMorgan Chase Bank, N.A.'s Response and Limited Objection to the Debtors' Motion for Order Under 11 U.S.C. § 363 and Fed. R. Bankr. P. 6004 Authorizing and Approving Option Exercise Agreement With General Motors Corporation (Docket No. 16493)*

*Reply filed: Debtors' Omnibus Reply In Support Of Steering Option Exercise Motion (Docket No. 16500)*

*Related filings: None.*

*Status: The Debtors withdraw this motion without prejudice.*

#### **D. Contested Matters**

10. **"Thirty-Fourth Omnibus Claims Objection"** - Debtors' Thirty-Fourth Omnibus Objection Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 3007 To (I) Expunge (A) Certain Pension And OPEB Claims, (B) Certain Individual Workers' Compensation Claims, (C) Certain Duplicate And/Or Amended Individual Workers' Compensation Claims, (D) Certain Untimely Individual Workers' Compensation Claims, (E) A Secured Books And Records Claim, And (F) Certain Untimely Claims, (II) Modify Certain (A) Wage And Benefit Claims, (B) State Workers' Compensation Claims, And (C) Individual Workers' Compensation Claims Asserting Priority, (III) Provisionally Disallow Certain Union Claims, And (IV) Modify And Allow Certain Settled Claims (Docket No. 17182)

*Responses filed: Response to the Thirty-Fourth Omnibus Claims Objection by Hubert Noel-Morgan (Docket No. 18247)*

*Response of New Jersey Self-Insurers Guaranty Association (Claim No. 11631) to Debtors' Thirty-Fourth Omnibus Objection to Claims (Docket No. 18304)*

*Response of Paul Pickles to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18326)*

*United States of America's Response to Debtors' Objection to the Claim of the United States Environmental Protection Agency (Claim No. 14309) (Docket No. 18330)*

*Response of IUOE Locals 18S, 101S, 832S to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18332)*

*Response of International Brotherhood of Electrical Workers and its Local 663, and the International Association of Machinists and Aerospace Workers and its District 10 and Tool and Die Makers Lodge 78 (Docket No. 18333)*

*Corrected Response of IBEW and IAM to Debtor's Thirty Fourth Omnibus Claims Objection at (Docket No. 18334)*

*Response of Omron Dualtec Automotive Electronics Inc. to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18336)*

*Ohio Bureau of Workers' Compensation's Response to Debtors' Thirty-Fourth Omnibus Objection to Claims (Docket No. 18346)*

*Response of Angelina Cruz to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18552)*

*Response of Sharyl Carter to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18457)*

*Response of Harold D. Block to Debtors' Thirty-Fourth Omnibus Claims Objection (Docket No. 18560)*

*Response of Jack Hamilton to Debtors' Thirty-Fourth Omnibus Claims Objection (Undocketed)*

*Reply filed:* *A reply will be filed.*

*Related filings:* *Amended Notice of Objection to Claims [Exhibit L to Thirty-Fourth Omnibus Claims Objection] (Docket No. 17183).*

*Status:* *The hearing will proceed with respect to claims for which no responses have been filed. With respect to the claims for which a response has been filed, the hearing will be adjourned to future claims hearing dates in accordance with this Court's Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014*

*Establishing (I) Dates For Hearings Regarding  
Objections To Claims And (II) Certain Notices And  
Procedures Governing Objections To Claims, entered  
December 7,2006 (Docket No. 6089).*

11. Motion Of Dennis Black, Charles Cunningham, And The Delphi Salaried Retiree Association Under Rule 2018(A) Of The Federal Rules Of Bankruptcy Procedure For An Order Authorizing Intervention Into This Case (Docket No. 18303)

*Responses filed: Debtors' Preliminary Objection to Motion of Dennis Black, Charles Cunningham, and the Delphi Salaried Retiree Association Under Rule 2018(a) of the Federal Rules of Bankruptcy Procedure for an Order Authorizing Intervention Into this Case (Docket No. 18493).*

*A supplemental objection will be filed.*

*Reply filed: None.*

*Related filings: None.*

*Status: This filing did not comply with the Court's Supplemental Case Management Order with respect to pleadings filed on an expedited basis. Because this motion relates to standing with respect to the Debtors' proposed modifications to their confirmed plan, the Debtors are prepared to waive their rights to have this matter adjourned to the next scheduled omnibus hearing and will be prepared to address this motion at the Forty-Fifth Omnibus Hearing if the Court determines that it should be heard.*



**E. Adversary Proceedings**

**12. Computer Sciences Corp. v. Delphi Corp.** (Adv. Pro. No. 09-01271)

*Status:* *A pretrial conference will be held.*

Dated: New York, New York  
July 22, 2009

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